

# **Exhibit 12**

**From:** Gonzalez, Arturo J. <AGonzalez@mofo.com>  
**Sent:** Friday, September 29, 2017 9:58 PM  
**To:** James Judah  
**Cc:** JCooper@fbm.com; MCate@fbm.com; UberWaymoMoFoAttorneys;  
BSF\_EXTERNAL\_UberWaymoLit@BSFLLP.com; DG-  
GPOttoTruckingWaymo@goodwinlaw.com; QE-Waymo  
**Subject:** Waymo v Uber - Interrogatories

What is your authority for the proposition that interrogatories have to be supplemented after discovery has closed and one week before trial?

Sent from my iPhone

On Sep 29, 2017, at 8:48 PM, James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)> wrote:

- External Email -

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John and Counsel -

John, we request a meet and confer on the below issue.

Defendants are under a continuing obligation pursuant to F.R.C.P. 26(e) and the instructions incorporated into each set of Plaintiff's interrogatories to Defendants to supplement their interrogatory responses in a timely manner as additional information becomes available. Defendants and their agents have produced tens of thousands of additional documents since the Federal Circuit decision in this case. Yet to date, Defendants have failed to supplement their interrogatory responses, or confirm that supplementation would be forthcoming. Defendants must confirm that they will supplement each interrogatory response, as appropriate, to reflect the new information in those additional productions, at minimum their responses to Expedited Interrogatory Nos. 1, 2, 6, 14, 15, 16, 17, 18, 20, 26 and Common Interrogatory No. 8.

Best,  
James

**James Judah**  
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